



PATENT
ATTORNEY DOCKET: 46969-5447

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Kenichi NAGAYAMA) Confirmation No.: 7384
Application No.: 10/586,584) Group Art Unit: 2826
Filed: February 28, 2008) Examiner: Tan N. Tran
For: SEMICONDUCTOR DEVICE AND)
METHOD FOR MANUFACTURING)
SAME)

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Winder, Mail Stop Amendment
Alexandria, VA 22314

Sir:

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

In an Office Action dated October 23, 2008, the period for response to which runs through November 24, 2008 (November 23, 2008 being a Sunday), the Examiner required election under 35 U.S.C. §§ 121 and 372 between the claims of Group I (claims 1-9) allegedly drawn to “a semiconductor device,” and Group II (claims 10-23) allegedly drawn to “a method of manufacturing a semiconductor device.”

Applicant hereby elects Group I (claims 1-9) for examination.

Applicant respectfully requests formal examination of this application.

Applicant respectfully submits that no fee is due in connection with the filing of this response. However, if there are any fees due in connection with the filing of this response, **except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any such fees during the entire pendency of this application, including fees

due under 37 C.F.R. §§ 1.16 and 1.17 which may be required and including any required extension of time fees, *or* credit any overpayment to Deposit Account No. 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

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Dated: November 13, 2008

By:

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